[1][(*m*) "contraband salt" means :

A. Salt or salt-earth removed from a salt-work or from a Government warehouse or store, or manufactured, excavated, collected, packed, stored, landed, transported or had in possession in contravention—

(*i*) of this Act, or of any other enactment relating to the salt-revenue at the time being in force ; or

(*ii*) of any rule or order made under this Act or under any other such enactment as aforesaid ; or

(*iii*) of any license or permit issued under this Act, or under any other such enactment as aforesaid ; and

B. Salt, which has evaded payment of any duty imposed under section 7 (*a*) of the [2]Indian Salt Act, 1882, or of any duty leviable under any Tariff Act in force for the time being ;] XII of 1882.

(*n*) "maund" means an Indian maund of 82⅔ pounds avoirdupois weight ;

(*o*) "possession" or "removal" of salt or salt-earth by a servant or agent of any person, on that person's account, shall be deemed to be possession or removal thereof by such person.

CHAPTER II.

ESTABLISHMENT AND CONTROL.

Power for Governor in Council to appoint superior officers of the Salt Department.

4. (*1*) [3][Subject to such control of the Governor General in Council as may be prescribed by rules made under section 45A of the Government of India Act] the Governor in Council may, from time to time, [4]appoint either by name or by virtue of their office, so many persons as he thinks fit to be officers of the Salt Department.

(*2*) The said officers shall be appointed under the designations of—

(*a*) Commissioner of Salt-revenue ;

(*b*) Collector of Salt-revenue ;

(*c*) Deputy Collector of Salt-revenue ;

(*d*) Assistant Collector of Salt-revenue ;

and such other designations, if any, as the Governor in Council thinks fit.

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[1] This clause was substituted by s. 1 of Bom. Act I of 1901, Vol. IV of this Code.

[2] General Acts, Vol. III.

[3] These words were substituted for the words "Subject to the general control of the Governor General in Council" by s. 2 and Sch. I of the Devolution Act, 1920 (38 of 1920).

[4] For notifications appointing certain officers to be officers of the Salt Department, *see* Bombay Local Rules and Orders.

(*3*) Each such officer shall be appointed for such local area as the Governor in Council from time to time defines in this behalf.

(*4*) The Governor in Council may suspend, remove, dismiss, or accept the resignation of, any person appointed under this section.

(*5*) The Governor in Council may at any time withdraw from any officer any of the powers or duties which are or which may be conferred or imposed by or under this Act.

Collectors charged with carrying out this Act.

5. (*1*) Subject to the control and direction of the Commissioners to whom they are respectively subordinate and to the orders of Government, the Collectors are charged with the collection of salt-revenue and with the carrying out of the provisions of this Act within the local areas for which they are respectively appointed:

Proviso.

(*2*) Provided that it shall be competent to the Governor in Council, by an order published in the Bombay Government Gazette, whenever and for so long as he shall deem fit, to keep the office of Commissioner of Salt-revenue in any part of the Presidency in abeyance, and to empower the Collectors in such part, during the time that the said office is so held in abeyance, to exercise the powers and perform the duties of Commissioner within the local areas for which they are respectively appointed, and their proceedings and orders shall, in that case, be subject to the immediate control of Government.

Power of Commissioners—

6. Subject to such orders as may from time to time be passed by Government in this behalf, the Commissioners may—

to appoint subordinate officers of the Salt Department, and

(*a*) appoint such subordinate officers of the Salt Department, with such designations as they deem fit;

to punish them for misconduct.

(*b*) at any time, after inquiry recorded in writing, fine, dismiss, suspend or reduce any officer so appointed, for any breach of departmental rules or discipline, or for carelessness, unfitness, neglect of duty or other misconduct.

Delegation of powers by Commissioners to Collectors, etc.

7. The powers conferred on Commissioners by the last preceding section may be delegated by any Commissioner, in whole or in part, to any Collector or Deputy or Assistant Collector, and any such delegation may be at any time cancelled by the Commissioner.

Provisions of Chapter III, Bombay Land-revenue

8. All officers of the Salt Department shall be deemed to be revenue-officers within the meaning and for the purposes of Chapter III of the [1]Bombay Land-revenue Code, 1879, and all the provisions of the said

Bom. Act V of 1879.

[1] Vol. II of this Code.

Code, 1879, to apply to salt-revenue officers and their sureties.

Chapter relating to revenue-officers and their sureties shall be applicable respectively to officers of the Salt Department and their sureties. Provided that all the powers conferred and duties imposed by the said Chapter on the Collector or the Superintendent of Survey, shall, in respect of officers of the Salt Department and their sureties, be exercised and performed by the Collectors of Salt-revenue only.

9. [*Existing officers in Sind.*] *Rep. Act XVI of 1895.*

Conferment of powers under this Act.

10. (*1*) The Governor in Council may, from time to time, by [1]notification in the Bombay Government Gazette, invest—

(*a*) any officer of the Salt Department, either personally or in virtue of his office ; or

(*b*) any Government officer of any other department, either personally or in virtue of his office ; or

(*c*) any other person ;

with all or any of the powers described or contemplated in sections 28, 38, 39, 42 and 44.

(*2*) The Governor in Council may [2]delegate the power vested in him by this section, either wholly or partly, to a Commissioner, subject to such limitations or conditions as Government may by any order prescribe.

CHAPTER III.

Manufacture, Excavation and Collection of Salt and Salt-earth.

Manufacture, etc., of salt prohibited except under a license.

11. No salt shall be manufactured and no natural salt and, except under the provisions of section 14, no salt-earth shall be excavated or collected or removed, otherwise than by the authority and subject to the terms and conditions of a license to be granted by the Collector in this behalf.

[Provided that no such license shall be necessary for any process of manufacture of salt on which duty has been paid.][3]

Licenses to be granted by the Collector.

12. The Collector shall, on application, grant a license for the manufacture, excavation, collection or removal of salt, to any person entitled to the same under section 16 or section 17, and may, in his discretion, grant licenses for any of the said purposes or for the excavation, collection or removal of salt-earth to any other persons.

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[1] For notifications investing certain officers with powers under the sections referred to, *see* Bombay Local Rules and Orders.

[2] For notifications delegating powers under s. 10 (*2*), *see* Bombay Local Rules and Orders.

[3] This proviso was inserted by s. 1, Bom. Act 2 of 1892, *infra*.